

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 24520 of 1999

DATED: 24.1.2007

Between:

D. Hyma Rao

... Petitioner

and

The Commissioner of Police, Hyderabad and
others

...

Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 24520 OF 1999

ORAL ORDER:

When the matter is called for hearing, there is no representation on behalf of the petitioner.

The writ petition is filed alleging that the respondents, in particular respondents 2 to 4 have misbehaved and without cause are harassing the petitioner. The petitioner alleges that on 18.10.1999 around midnight, the respondents along with others came to her residence in a civil dress and enquired about her son, who is alleged to have been involved in a criminal case. On the petitioner stating that her son is not residing with her and she was not aware of his whereabouts, the respondents created a scene; threw away furniture and utensils; coerced and beat the neighbours who are tenants of the house; failed to disclose their identity and otherwise indulged in gross misbehaviour.

Responding to the allegations in the writ petition, the 4th

respondent has filed a counter affidavit denying the allegations of misbehaviour and harassment at midnight. The counter states that a case in Cr.No.247/99 under Sections, 420, 489 (a) (b) (c) (d), 201 and 120 (B) of the Indian Penal Code was registered on the file of the Eluru II Town Law and Order Police Station and during the course of investigation on 14.10.1999, the principal accused and leader of the counterfeiting racket; one P.V. Naidu-A4 was arrested in Hyderabad and during his interrogation confessed that an accomplice Vijaya Chowdary-A-12 was the son of the petitioner and residing with her. The investigation revealed that A-12 was on good and intimate terms with his mother the petitioner and was residing with her and not separately. On the basis of this information, the police went to the petitioner's residence at about 3 in the afternoon on 15.10.1999 and not at midnight on 18.10.1999 as alleged.

All the several allegations in the writ petition about unruly conduct and misbehaviour have been denied specifically. The allegation that police have threatened the petitioner and her neighbours is also denied and it is stated that these allegations are made purely for the purpose of creating prejudice. It is also stated that the principal accused-A4 had confessed on his arrest on 13.10.1999 that he gave Rs.50,000/- worth fake currency notes of Rs.500/- denomination to A-12, the petitioner's son, for the

purpose of circulation.

In view of all the allegations of misbehaviour and misconduct having been denied and there being no rebuttal of these allegations by the writ petitioner, no case is made out for further scrutiny.

There are no merits. The writ petition is dismissed. No costs.

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Date: 24.1.2007
CVM

GODA RAGHURAM, J